

CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
12/1/16
TDM / BIM



Location: 1619 South Broadway Street
Applicant: Tedra Griffin for RWL Investments
Permit Type: Conditional Use Permit

Project Description: This is an application to allow for the operation of a childcare center.

Historic Significance: The house at 1619 Broadway was built ca. 1905 in the Queen Anne style with some Colonial Revival influences. Notable architectural features include the fish-scale siding and arched window in the front gable. It appears to have been built in conjunction with the house to the north (and possibly with houses immediately to the east facing Spring Street) as rental, and from 1912 through 1922 served as the home of Thomas Shannon, treasurer of the Arkansas Savings Bank. Since 1950 the house had been used as apartments, as an office, and more recently as classroom space for the Cathedral School, which closed in 2011. The house is listed in the National Register as a contributing resource in the Governor's Mansion Historic District. The current owner acquired it in 2012.

Previous Action: Several permits have been issued over the years to cover minor repairs, fences, signs, uses, and construction of a greenhouse when the building was part of the Cathedral School. In 1985 the Commission approved a plan to construct a two-story connection between 1619 and 1609 Broadway immediately to the north for the headquarters of Summerlin Associates, an engineering/planning firm (see portion of blueprint on page 4), but this work was never begun. Staff approve porch reconstruction in 1989 and exterior repairs in 1997. The gable window may have been replaced and enlarged as part of one of these projects, though no applications mentioned it.

Zoning: This structure is located in Zone "N", Neighborhood, Residential and Commercial. This hybrid zone allows for some light commercial uses within a residential context.

Review Criteria for Conditional Use Permits:

Capitol Zoning District Commission Rule, Section 2-105. C.2. The Commission may grant Conditional Use Permits to permit a use of land not permitted by right under the zoning applicable thereto, provided that the conditional use in question is permitted for that land under the Master Plan ...

Capitol Zoning District Commission Rule, Section 2-105. F.

... All changes in the Capitol Zoning District will be evaluated according to the General Standards and the applicable Area Framework Plan ...

Staff finds the proposal should be evaluated using the General Standards and the Mansion Area Master Plan.

Capitol Zoning General Standards, *Zoning Requirements for the Capitol Zoning District*

Zone "N", Neighborhood Residential & Commercial

Permitted uses— single family; two family; professional office

Conditional uses — multi-family; community facilities; general office; quiet business ...

Staff finds the proposal to be consistent with this requirement. "Nursery school, day nursery, kindergarten" is found in the Community Facilities II Use Group and allowed as a conditional use in Zone N.

Capitol Zoning General Standards, *Parking / Loading Requirements for the Capitol Zoning District*

P1. Requirement

There shall be provided for each use in any zone the number of off street parking spaces required for that use ...

P15. Required parking spaces by use

2.) Nursery school, daycare, or kindergarten = 1 space per employee.

Staff finds the proposal to be consistent with this requirement. The applicant has stated that there will be at most three employees in the business including herself. The parking pad by the alley has room for at least three cars, plus the driveway on the north side of the house has room for at least one car.

Mansion Area Master Plan, *Planning & Design Goals*

2. To rehabilitate dilapidated historic structures in and around the neighborhood.
3. To create an improved image and stronger sense of identity.
4. To continue to develop a more family-friendly environment for residents and visitors alike.
6. To create a mixture of uses throughout the neighborhood.

Staff finds the proposal to be consistent with these goals. The structure has been mostly vacant for some time, and a daycare nearby at Trinity Cathedral is reportedly in heavy demand by neighbors.

Mansion Area Master Plan, *Urban Design Goals*

1. To preserve the character of the Mansion Area neighborhood ...
4. To promote commercial land uses along Broadway and Main Street that complement the residential neighborhood.
5. To accommodate the need for commercial uses along both Broadway and Main Street ... while preserving the residential character of the remaining portions of the neighborhood.

Staff finds the proposal is consistent with these goals.

Neighborhood Reaction: None to date.

Proposed Findings: Based on the application materials, historic records, and relevant rules adopted by the Capitol Zoning District Commission:

- 1) The application represents a request to use 1619 Broadway in Zone N as a daycare, which is allowed as a Conditional Use in Zone N as part of the Community Facilities II Use Group;
- 2) There are at least four parking spaces available on site.

Proposed Conclusions of Law: Based on the application materials, historic records, and relevant rules adopted by the Capitol Zoning District Commission:

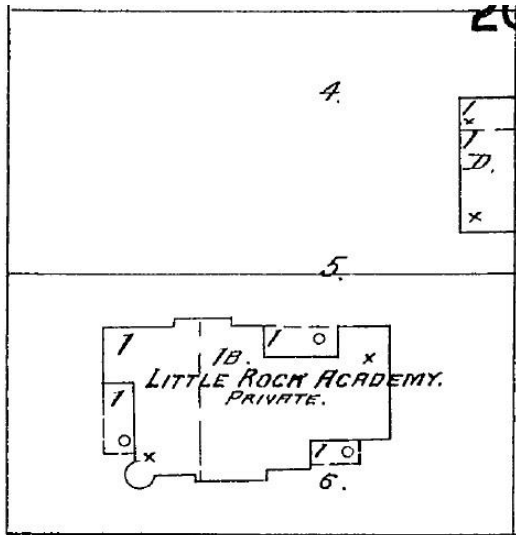
- 1) The proposed use is consistent with the Mansion Area Master Plan's Land Use recommendations, Planning & Design Goals, and Urban Design Goals; and
- 2) The proposed use is consistent with the requirements for approving a Conditional Use permit.

Staff Recommendation: Based on the findings and conclusions stated above, staff recommends approval of the application with the following conditions:

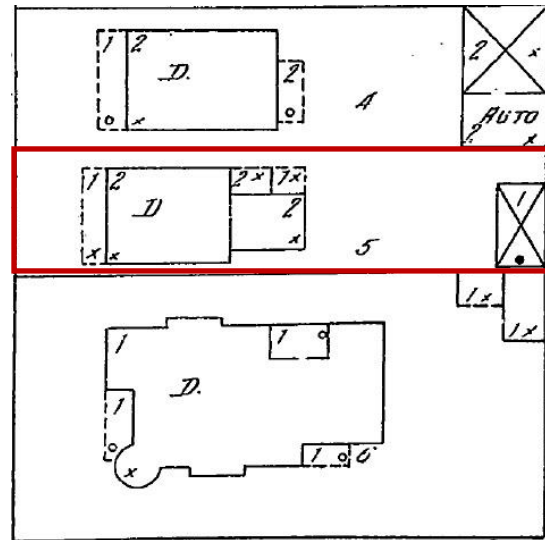
- 1) That all State and City Codes be followed at all times; and
- 2) That the property be maintained in a neat and safe condition at all times.

Mansion Area Advisory Committee Recommendation: The MAAC voted 8-2 (with one abstention) to recommend approval. The committee discussed at length the number of employees, number of children, ratio of children to employees, location of play areas, hours of operation, drop-off location(s), and DHS licensing requirements. Dissenting members expressed concerns also expressed concerns about child safety in the event of an emergency.

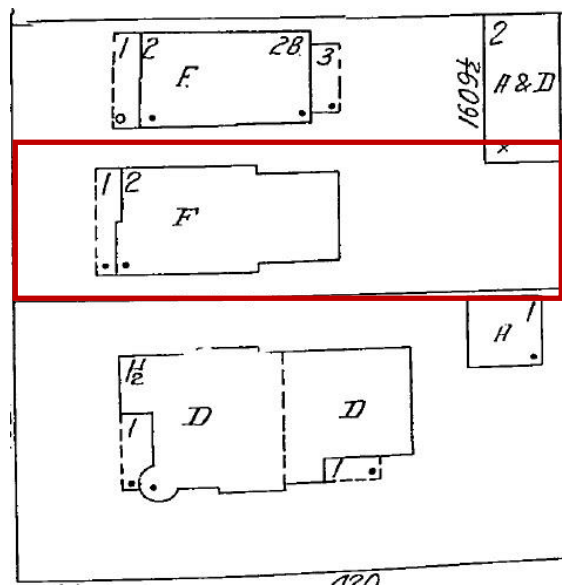
Details from Sanborn Insurance Co. maps



1897- 1619 Broadway had not been constructed yet. The building to the south housed a private school.



1913- note the different setbacks for 1619 Broadway and the houses on either side.



1950- all of the houses at this end of the block had been split into apartments

Archive images of property



1985- plan approved by the CZDC for a connecting walkway between 1609 and 1619 Broadway for the offices of Summerlin Associates.



1987- note the square window in the gable.

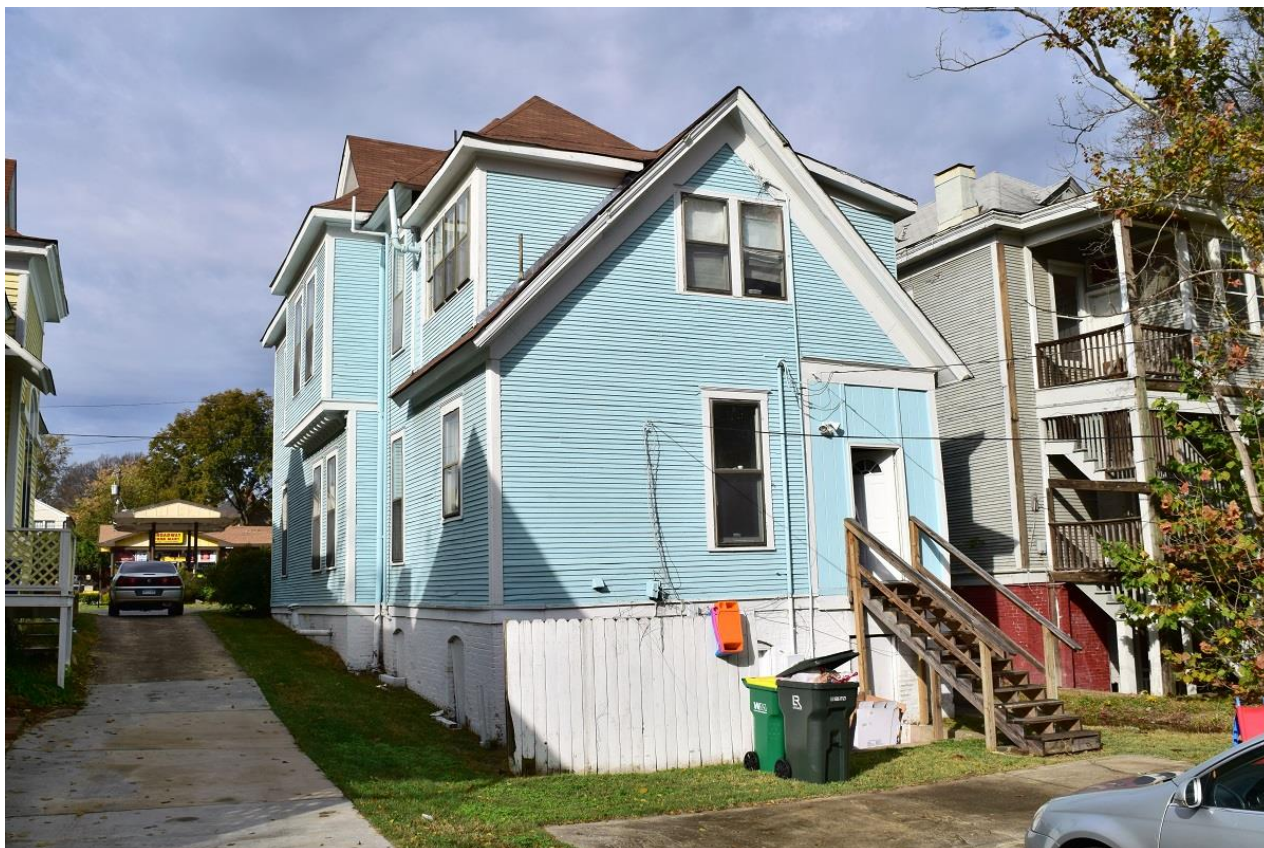


1998- gable window replaced with arched opening, possibly added to mimic the arched dormer next door at 1609 Broadway.

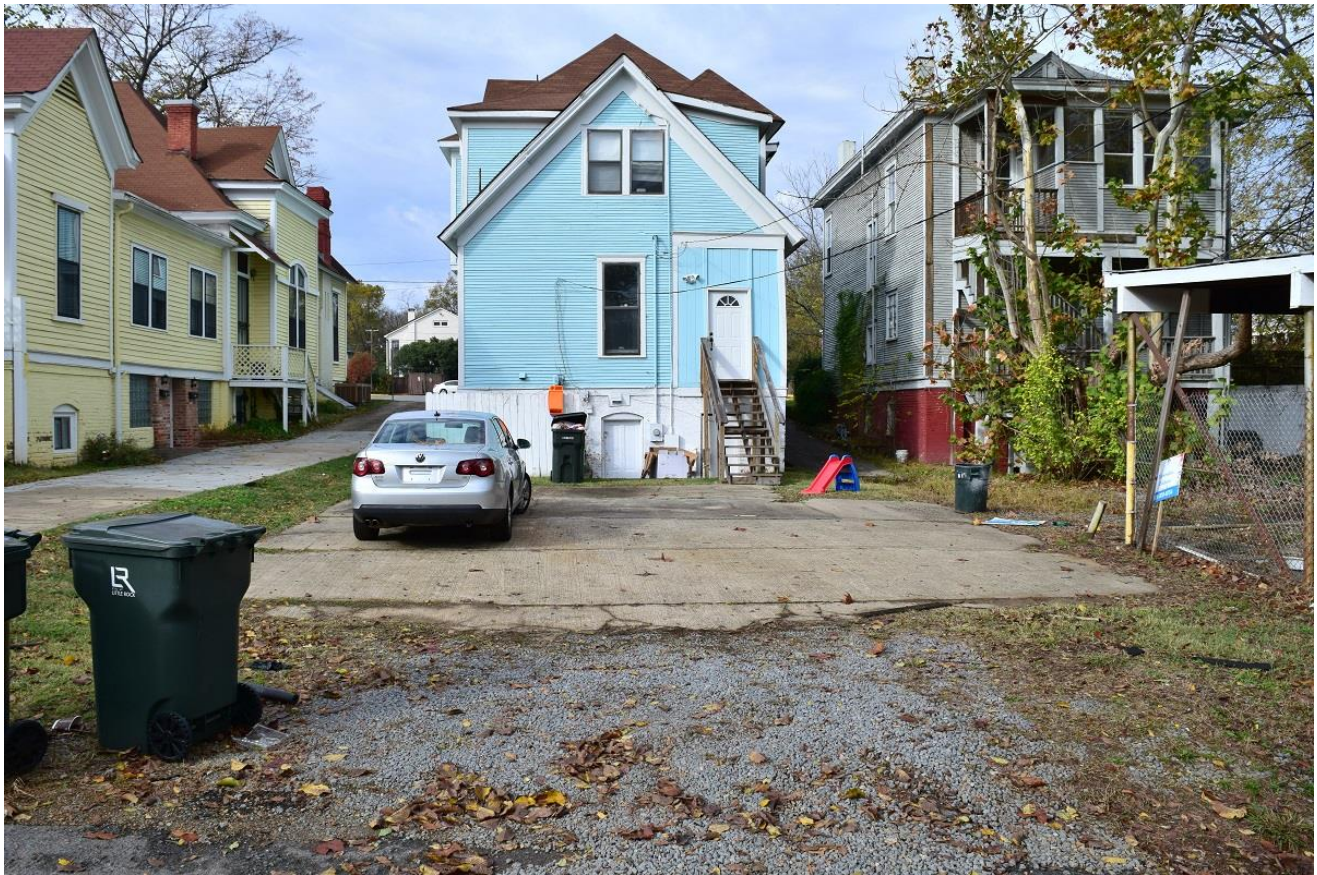
Current photos of property



Front and south facades of building. 1609 Broadway is visible on the left.



Rear of building. (The driveway on the left is not part of this parcel.)



Parking pad with room for at least three cars, more if double parked. There is also a driveway to the north (right in this picture) of the house that does not connect to the parking pad but does offer space to park at least one car.



Another view of the parking pad. The carport in the background sits on an adjacent parcel.



CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS 1419 S. Broadway

PROPERTY OWNER Brian Lazenby

PERSON FILING APPLICATION TRISHA Griffin
if other than owner

APPLICANT PHONE
AND EMAIL



APPLICANT SIGNATURE
AND DATE

Signature certifies that applicant is authorized to represent this property, and that all information presented in this application, as well as in any supporting materials, is true and correct to the best of the signatory's knowledge.

DESCRIPTION OF
PROPOSED WORK
AND / OR USE

I would like to open
up my childcare center.